

DEC-02-2005 FRI 02:37 PM SENNIGER POWERS

FAX NO. 3142314342

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WSHU 2005.1  
PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Scott J. Hultgren

Art Unit 1631

Serial No. 09/637,216

Filed August 11, 2000

Confirmation No. 7884

For ANTI-BACTERIAL COMPOUNDS DIRECTED AGAINST PILUS BIOGENESIS  
ADHESION AND ACTIVITY

Examiner Ardin H. Marschel

December 2, 2005

REQUEST FOR REFUND UNDER 37 C.F.R. §1.26COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.26, applicants respectfully request a refund for the mistaken payment of a fee for a four month extension of time for filing a Request for Continued Examination in the above-referenced application. As explained in the following numbered paragraphs, only a one month extension of time was due. Accordingly, applicants are entitled to a refund of \$685.00.

1. Applicants submitted a Request for Continued Examination on September 7, 2004, via Express Mail. Applicants filed therewith a payment of \$1,125.00. This payment consisted of a \$385.00 fee for the filing of a Request for Continued Examination by a small entity and a \$740.00 fee for a four month extension of time by a small entity.

2. Because the extension period was mistakenly calculated, the fee for the extension of time should have been \$55.00 for a one month extension of time by a small entity instead of \$740.00 for a four month extension of time by a small entity.

3. Specifically, the Request for Continued Examination was filed in response to a final Office action dated May 5, 2004. The Request for Continued Examination was filed on

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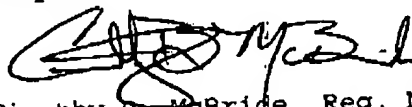
September 7, 2004. As September 5, 2004, was a Sunday, and September 6, 2004, was a federal holiday, submission of the Request for Continued Examination on September 7, 2004, was one month after the end of the three month shortened statutory period for reply.

4. Accordingly, because the Request for Continued Examination was filed within the first month extension period, a fee of only \$55.00 was required.

In view of the foregoing, applicants request a refund of \$685.00 (i.e., the difference between the \$740.00 fee mistakenly paid and the \$55.00 fee actually due) for payment of the additional three month extension of time mistakenly submitted with the Request for Continued Examination.

Such refund may be credited directly to Deposit Account No. 19-1345. A duplicate copy of this letter is enclosed. Please return the duplicate of this letter upon crediting the deposit account.

Respectfully submitted,



Timothy B. McBride, Reg. No. 47,781  
SENNIGER POWERS  
One Metropolitan Square, 16th Floor  
St. Louis, Missouri 63102  
(314) 231-5400

TBM/sxm  
\* Enclosure

Mail Stop 16  
Via Facsimile

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Law Offices of

SENNIGER POWERS

One Metropolitan Square, 16th Floor  
St. Louis, Missouri 63102Telephone (314) 231-5400  
Facsimile (314) 231-4342

## FACSIMILE TRANSMITTAL COVER SHEET

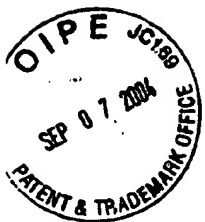
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THIS FACSIMILE IS BEING SENT BY: Timothy B. McBride  
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Typed or printed name of person signing certification

Sharon L. Myers  
Signature12/02/05  
DateType of paper transmitted: Request for RefundApplicant's Name: Scott J. HultgrenSerial No.: 09/637,216 Examiner: A. MarschelFiling Date: 09/11/00 Art Unit: 1631 Confirmation No.: 7884Application Title: ANTI-BACTERIAL COMPOUNDS DIRECTED AGAINST  
PILUS BIOGENESIS ADHESION AND ACTIVITYIF YOU DO NOT RECEIVE ALL PAGES CLEARLY, CALL BACK AS SOON AS  
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Application of Scott J. Hultgren

Art Unit 1631

Serial No. 09/637,216

Filed August 11, 2000

Confirmation No. 7884

For ANTI-BACTERIAL COMPOUNDS DIRECTED AGAINST PILUS BIOGENESIS  
ADHESION AND ACTIVITY

Examiner Adrin H. Marschel

September 7, 2004

REQUEST FOR CONTINUED EXAMINATION TRANSMITTAL

COMMISSIONER FOR PATENTS

P.O. BOX 1450

ALEXANDRIA, VIRGINIA 22313-1450

SIR:

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

**1. REQUIRED SUBMISSION:**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on \_\_\_\_\_
  - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
  - ii. ☐ Affidavit(s)/Declaration(s)
  - iii. ☐ Information Disclosure Statement
  - iv. ☐ Other \_\_\_\_\_

**2. MISCELLANEOUS**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; fee required)
- b. ☐ Other \_\_\_\_\_

09/09/2004 WABDELRI 00000024 09637216

385.00 OP  
740.00 OP01 FC:2801  
02 FC:5254Adjustment date: 12/30/2005 EEKUBAY1  
09/09/2004 WABDELRI 00000024 09637216  
02 FC:2254

-740.00 OP

12/30/2005 EEKUBAY1 00000005 09637216

01 FC:2251 55.00 OP

Repl'n Ref: 12/30/2005 EEKUBAY1 0009534400  
DBH:191345 Name/Number:09637216 \$685.00 CR  
FC: 9204